

neither father nor mother shall in all cases be entitled to preference in applications for admission.

SEC. 3. This act shall take effect and be in force from and after its passage.

When act to take effect,

Approved March 4, 1871.

CHAPTER XI.

An Act to amend Section three of Chapter twenty-two, of the General Laws of the year one thousand eight hundred and seventy, relating to the State Militia.

March 1, 1871.

SECTION 1. Amendment to Section three (3), Chapter twenty-two (22), General Laws of 1870. What to constitute the Militia of this State—Governor to be Commander in Chief—all Staff and Field officers to be appointed by the Governor—exemptions of members of Independent Companies—term of service of Non-Commissioned officers and Privates.

2. Amendment to said Chapter by the addition of new Section.

7. When Independent Companies may be disbanded.

3. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section three of chapter twenty-two of the general laws of one thousand eight hundred and seventy be amended to read as follows :

Sec. 3. The active militia shall be composed of volunteers, and in case of war, invasion, the prevention of invasion, the suppression of riots, and to aid civil officers in the execution of the laws of the commonwealth, shall be first ordered into service, and shall be known and designated as the National Guard of the State of Minnesota. The governor is commander-in chief of the militia of the state, and shall appoint his staff officers, to consist of one adjutant general, with the rank of brigadier general; one judge advocate general, with the rank of brigadier general; one surgeon general, with the rank of brigadier

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general; one chaplain, with the rank of colonel; one aid-de-camp, with the rank of colonel, and one aid-de-camp, with the rank of major, and one military store-keeper, to rank as non-commissioned officer. The commander-in-chief, in case he deems it necessary, or the public safety requires it, may appoint such number of field, staff, and officers of the line, as may be required to render the militia of the state available and efficient in case an emergency shall arise for calling into the service the military force of the state, or any part thereof, for the purposes set forth in this act; and it shall also be competent for the governor, as commander-in-chief, to authorize the formation and organization of uniformed companies in any locality in this state, when the same may be deemed desirable, prescribing such rules for the government of the same as he may deem advisable, and arm and equip the same, and the persons so organized and uniformed shall be exempt from serving as jurors, from labor on the public highways, and from personal taxation to the amount of two hundred dollars. For non-commissioned officers and privates the term of service shall be three years, to date from the time of mustering in by the proper officer, unless regularly discharged by competent authority.

SEC. 2. That chapter twenty-two of the general laws of one thousand eight hundred and seventy, is further amended by adding thereto the following:

Sec. 7. If it appears to the commander-in-chief, on representation of the commanding officer of a regiment, brigade, or division, that a company of uniformed militia has failed to comply with the requisitions of law in matters of equipment and discipline, so that it is incapacitated to discharge the duties required of it, such company may be disbanded by the commander-in-chief.

SEC. 3. This act shall take effect and be in force from and after its passage.

When independent companies may be disbanded.

When act to take effect.

Approved March 1, 1871.